



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/241,515	02/01/1999	ZVI YANIV	3250-627	8839

7590 12/13/2004  
KENNETH M. MASSARONI  
3424 CHASELTON COURT  
BERKELEY LAKE, GA 30096

EXAMINER

PATEL, NITIN

ART UNIT PAPER NUMBER

2673

DATE MAILED: 12/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/241,515

Applicant(s)

YANIV, ZVI

Examiner

Nitin Patel

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 11-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 14-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 February 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07/29/2004 has been entered.

### *Drawings*

2. The drawings are objected to under 37 CFR 1.83(a) because they fail to show LCD, FED, EL, Plasma, transmissive, reflective and passive device and device having input/output port and memory as described in the specification and claims. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The

Art Unit: 2673

replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5, 10, 14, 18 is rejected under 35 U.S.C. 102(b) as being anticipated by Arpadi (U.S. Patent No. 5,570,325).

As per claims 1, Arpadi shows an apparatus for providing a pictorial representation (In Fig.1 element 14) having:

On a first media at least one static presentation region for providing at least a first unchanging pictorial rendering (In Abstract a static character face disposed at the front of the housing and in fig.1 element 14), the media having at least one opening formed therethrough (In Abstract and In Col.2 lines 27-28); on a second media (element 16 In Fig.1 and In Col.4 lines 30-32), different than the first media (In Fig.6 element 72), a dynamically changing presentation region (In Fig.7A-8D and In Col.2 lines 18-20), the dynamically changing presentation region providing at least a first series of changing

Art Unit: 2673

rendering (In col.2 lines 18-25) wherein the second media is positioned in the opening formed through the first media (in col. 2 lines 24-33).

As per claim 2, Arpadi teaches representation having a plurality of static presentation (In Fig.11 elements 124 and 114 static facial representation).

As per claim 3, Arpadi shows plurality of dynamic presentation regions (In Fig.11 elements 126 and 116).

As per claims 4,5, Arpadi shows display device being flat panel display being liquid crystal device (in col.2 lines 63-67 and In col.5 lines 56-67).

As per claim 10, Arpadi shows the pictorial representation is an artistic rendering (in Fig.6, 9,10,11).

As per claim 14, Arpadi shows the dynamic presentation region is a mechanical structure (In Fig.10 and In col.6 lines 43-50).

As per claim 18, Arpadi shows a memory (a control circuit for monitoring a timer) for storing information to be presented is the dynamic presentation regions (in col.3 lines 1-7).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6,7,8,9, 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arpadi (U.S. Patent No. 5,570,325) in view of Novich (5,811,926).

Art Unit: 2673

As per claims 6-9, Arpadi does not show flat panel display being FED, EL, Plasma and LCD device selected from the group of reflective devices or passive devices.

Novich shows flat panel display being FED, EL, Plasma and LCD device selected from the group of reflective devices or passive devices (In Col.1 lines 31-32 and In Col.4 lines 6-15 and lines 15-25 and lines 26-30 and lines 37-42). It would have been obvious to one of ordinary skill in the art, at the time of the invention was made to combined the teaching of Novich's with display device of Arpadi's because it would have provided improved image resolution and faster data image transfer.

As per claims 15-17, Arpadi does not show dynamic image is a projected image and holograph which device could be connected to computer via input/output connector. It would have been obvious to one of ordinary skill in the art that user could perform and conform particular dynamic image object before editing the operation using different method of showing image or picture while a user could have connected with a input/output port is well known in the art that could a serve a purpose to connected with a network of computer with multiple computers.

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin Patel whose telephone number is 703-308-7024. The examiner can normally be reached on 8:00-5:00.

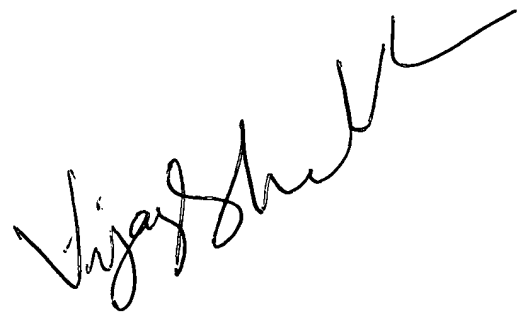
Art Unit: 2673

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin H Shalwala can be reached on 703-305-4938. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NP

December 11, 2004



VIJAY SHANKAR  
PRIMARY EXAMINER